

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALI KOURANI,

Plaintiff,

-against-

DEPARTMENT OF JUSTICE,

Defendant.

24-CV-0986 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is currently incarcerated at the United States Penitentiary in Marion, Illinois, brings this action *pro se* against the United States Department of Justice. An identical complaint filed by Plaintiff was recently opened in this court under docket number 24-CV-0857 (LTS).

Because it appears that Plaintiff intended only to submit one complaint, the Court believes this action was opened in error. No useful purpose would be served by the filing and litigation of this duplicate lawsuit. The Court therefore dismisses this action as opened in error and without prejudice to Plaintiff's pending action under docket number 24-CV-0857 (LTS)

In light of the Court's belief that this action was opened in error, the Court directs the Clerk of Court not to charge Plaintiff the \$350.00 filing fee for this action, and the Warden or Superintendent having custody of Plaintiff shall not deduct or encumber funds from Plaintiff's prison trust account for this lawsuit.

CONCLUSION

The Court dismisses this action without prejudice to Plaintiff's action pending under docket number 24-CV-0857 (LTS).

The Court directs the Clerk of Court not to charge Plaintiff the \$350.00 filing fee for this action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment dismissing this action without prejudice to Plaintiff's action pending under docket number 24-CV-0857 (LTS).

SO ORDERED.

Dated: February 12, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge